

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

UNITED STATES OF AMERICA and)	
THE STATE OF WISCONSIN,)	
)	
Plaintiffs,)	
)	
v.)	
)	
NCR CORPORATION,)	
APPLETON PAPERS INC.,)	
BROWN COUNTY,)	
CITY OF APPLETON,)	
CITY OF GREEN BAY,)	
CBC COATING, INC.,)	Civil Action No. 10-C-910
GEORGIA-PACIFIC CONSUMER PRODUCTS LP,)	
KIMBERLY-CLARK CORPORATION,)	
MENASHA CORP.,)	
NEENAH-MENASHA SEWERAGE COMMISSION,)	
NEWPAGE WISCONSIN SYSTEMS, INC.,)	
P.H. GLATFELTER CO.,)	
U.S. PAPER MILLS CORP. and)	
WTM I COMPANY,)	
)	
Defendants.)	

UNOPPOSED MOTION TO CORRECT THE TRIAL RECORD

Pursuant to Federal Rule of Appellate Procedure (“FRAP”) 10(e)(2)(B), Defendant NCR Corporation (“NCR”) respectfully submits this motion to correct the record so as to supplement the record by adding demonstrative exhibit TX 5092B, annexed hereto as Exhibit A, which was used at the trial that took place from December 3 to December 19, 2012 (the “Enforcement Action Trial”) but was inadvertently omitted from the Plaintiffs’ and Defendants’ Combined Trial Exhibit List, which was filed on June 14, 2013 (the “Exhibit List”) (Dkt. 835), and from the accompanying hard drive submitted to the Court.

NCR respectfully requests that the Court correct the trial record and enter the Proposed Order annexed hereto as Exhibit B. If the Court grants this motion, NCR will promptly cause to be filed a certified corrected combined trial exhibit list in the form annexed hereto as Exhibit C (the “Corrected Exhibit List”) which reflects the addition of TX 5092B, marked “[For Identification Only]”. NCR will also promptly cause to be submitted to the Court a hard drive containing the exhibits listed in the Corrected Exhibit List, including TX 5092B. Furthermore, if the Court grants this motion, NCR respectfully requests that the Order be promptly transmitted to the Court of Appeals for the Seventh Circuit as part of the record on appeal in this case (No. 13-2436) pursuant to Seventh Circuit Rule 10(b).

Plaintiffs the State of Wisconsin and the United States of America and Defendants Georgia-Pacific Defendants,¹ P.H. Glatfelter Company, WTM I Company, CBC Coating, Inc., U.S. Paper Mills Corp., Menasha Corp., City of Appleton and Neenah-Menasha Sewerage Commission do not oppose this motion.

¹ The “Georgia-Pacific Defendants” refers to Defendants Georgia-Pacific Consumer Products LP (f/k/a Fort James Operating Company), Fort James Corporation and Georgia-Pacific LLC.

Dated: November 14, 2013

Respectfully submitted,

/s/ Darin P. McAtee

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